

**1999 DRAFTING REQUEST**

**Bill**

Received: **11/24/98**

Received By: **nelsorp1**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Council - LRC 6-9791**

By/Representing: **Laura Rose**

This file may be shown to any legislator: **NO**

Drafter: **nelsorp1**

May Contact:

Alt. Drafters:

Subject: **Courts - miscellaneous**

Extra Copies: **Secretary of State**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Language on notary stamp or seal

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	nelsorp1 12/1/98	jpgeller 12/1/98	martykr 12/2/98	_____	lrb_docadmin 12/2/98		
/1	nelsorp1 06/3/99	jpgeller 06/3/99	jfrantze 06/4/99	_____	lrb_docadmin 06/4/99	lrb_docadmin 06/4/99	

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Not  
Needed

6/4/99 1:35:45 PM  
Page 1

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FE Sent For:

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12/2/98 3:00:09 PM  
Page 1

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/P1	nelsorp1 12/1/98	ygeller 12/1/98	martykr 12/2/98	_____	lrb_docadmin 12/2/98		

FE Sent For:

1/9/99 JLG  
JLG/4  
JLG/MRC  
<END>

11/24/98 1:43:29 PM  
Page 1

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/?	nelsorp1	/P1 12/1 jlg	Km 12/2	H/H 12/2 <del>Km 12/2</del>			

FE Sent For:

<END>

MEMORANDUM

TO: Laura Rose, Senior Staff Attorney/Leg Council

FROM: Juna Krajewski, Deputy/SOS

DATE: October 1, 1998

RE: Request for Law Revision Committee Consideration

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Chapter 137.01 (3) (a), dealing with Notary Seal or Stamp, reads in part "The impression of the seal or the imprint of the rubber stamp shall state, 'Notary Public,' 'State of Wisconsin' and the name of the notary."

Although this language was included through revisions made in the past with the intent of limiting what may be included on a notary seal or stamp, occasionally individuals still try to include extraneous language because they say the statutory language does not exclude other language.

It has been the long standing interpretation by the Office of the Secretary of State that no other language may be included in the notary stamp or seal and those applications containing seal/stamp imprints containing additional language are thereby rejected. This often results in back-and-forth wrangling with some applicants who put their own interpretation on the statutory language and feel they have the right to include additional wording (i.e. the name of the county where the notary resides, additional titles, expiration dates, etc.).

**To clarify this section of the Statutes, the Office would like to see a revision providing for only the inclusion of the words "Notary Public", "State of Wisconsin", and the name of the notary, with no additional wording allowed.**

Since the Office would try to schedule printing a revised Notary Handbook to coincide with the passage of any statutory revisions, **there should be no fiscal impact due to such a law revision.**

Thank you for your consideration of this request. If there are any questions, please call either Marjorie Robb, Administrator of the Government Records Division, at 6-8888 or me at 6-3470.

---

Cc: Scott Hubli



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1032/P1

RPN.....

1  
jlg

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

- 1 *gen cat* AN ACT ...; relating to: the impression on the seal or imprint of the rubber stamp  
2 of a notary public (suggested as remedial legislation by the <sup>✓</sup>secretary of state).

---

*Analysis by the Legislative Reference Bureau*

Under current law, every notary public must use an engraved official seal which makes a distinct and legible impression or an official rubber stamp which makes a distinct and legible imprint on paper when notarizing a document. The seal or rubber stamp must have the phrases "Notary Public" and "State of Wisconsin" and include the name of the notary. This bill provides that a notary public seal or stamp contain only those phrases and the name of the notary.

For further information, see the <sup>✓</sup>NOTES provided by the law revision committee of the joint legislative council.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

LAW REVISION COMMITTEE PREFATORY NOTE: <sup>✓</sup>This bill is a remedial legislation proposal, requested by the secretary of state and introduced by the law revision committee under s. 13.83 (1) (c) 4., stats. ~~This bill is introduced by the law revision committee under s. 13.83 (1) (c), stats.~~ After careful consideration of the various provisions of the bill, the law revision committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

- 3 <sup>✓</sup>SECTION 1. 137.01 (3) (a) of the statutes is amended to read:

1           137.01 (3) (a) Every notary public shall provide an engraved official seal which  
2           makes a distinct and legible impression or official rubber stamp which makes a  
3           distinct and legible imprint on paper. The impression of the seal or the imprint of  
4           the rubber stamp shall state, only the following: "Notary Public," "State of  
5           Wisconsin" and the name of the notary. But any notarial seal in use on August 1,  
6           1959, shall be considered in compliance.

7           History: 1971 c. 213 s. 5; 1977 c. 29, 449; 1979 c. 221; 1981 c. 380; 1981 c. 391 s. 211; 1993 a. 482; 1997 a. 27, 306.

(END) ✓

# **Law Revision Committee**

**Remedial Legislation Proposals  
Meeting of May 4, 1999**

**Secretary of State**

- LRB-1032/P1





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1032/P1  
RPN:jlg:km

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

- 1 **AN ACT to amend 137.01 (3) (a) of the statutes; relating to: the impression on**
- 2 **the seal or imprint of the rubber stamp of a notary public (suggested as remedial**
- 3 **legislation by the secretary of state).**

***Analysis by the Legislative Reference Bureau***

Under current law, every notary public must use an engraved official seal which makes a distinct and legible impression or an official rubber stamp which makes a distinct and legible imprint on paper when notarizing a document. The seal or rubber stamp must have the phrases "Notary Public" and "State of Wisconsin" and include the name of the notary. This bill provides that a notary public seal or stamp contain only those phrases and the name of the notary.

For further information, see the NOTES provided by the law revision committee of the joint legislative council.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

LAW REVISION COMMITTEE PREFATORY NOTE: (This bill is a remedial legislation proposal, requested by the secretary of state and introduced by the law revision committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of the bill, the law revision committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy. X

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NOTE:



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-1032/P1  
RPN:jlg:km

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Regen

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Secretary of State

LRB-1032/1, after SECTION 1:

NO  
BOLD

**NOTE:** This provision clarifies that the impression of the engraved official seal or imprint of the official rubber stamp of a notary public may contain only the phrases "notary public", "state of Wisconsin" and the name of the notary.

Insert  
2-9

# SUBMITTAL FORM

## LEGISLATIVE REFERENCE BUREAU Legal Section Telephone: 266-3561 5th Floor, 100 N. Hamilton Street

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 6/4/99

To: Legislative Council - LRC

Relating to LRB drafting number: LRB-1032

### Topic

Language on notary stamp or seal

### Subject(s)

Courts - miscellaneous

1. **JACKET** the draft for introduction Lawrence Rose for LAW REVISION COMMITTEE

in the **Senate** \_\_\_\_ or the **Assembly** X (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached \_\_\_\_\_.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction \_\_\_\_\_.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Robert P. Nelson, Senior Legislative Attorney  
Telephone: (608) 267-7511